



# Grafton Conservation Commission

GRAFTON MEMORIAL MUNICIPAL CENTER

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## Minutes of the September 20, 2016 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on September 20, 2016. Present were: Chairperson Sandra Brock, Scott Conway, Nathan Jaffer, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Heather Trudell was absent.

Chairperson Sandra Brock opened the public meeting at 7:00 p.m.

**DEP #164-921 Notice of Intent & Application for Grafton Wetlands Protection Bylaw Permit #754 - 184 Worcester Street - Hovey Pond Dam (Assessor's Map 27, Lot 15)** – The applicant, Dan Mortell of DCR, proposed repairs to Hovey Pond Dam within resource and riverfront areas. Chairperson Sandra Brock made a motion, seconded by Scott Conway, to continue the public hearing for 184 Worcester Street to October 4, 2016, at the applicant's request. The motion carried unanimously.

**Notice of Intent #164- , Application for Grafton Wetlands Protection Bylaw Permit # & Application for Grafton Stormwater Management Bylaw Permit # - 109 Adams Road - Bull Meadow Subdivision (Assessor's Map 110/32, Lot 005.A, 100) (Gordon Lewis)** – The applicant proposed the construction of a 15 unit definitive subdivision with a wetland crossing off of Appaloosa Drive. Chairperson Sandra Brock made a motion, seconded by Scott Conway, to continue the public hearing for 109 Adams Road to October 18, 2016, at the applicant's request. The motion carried unanimously.

**DEP #164-610 / WP #457 – High Point Estates Restoration – Request for Certificate of Compliance** – This Order of Conditions was for honeysuckle removal to compensate for habitat loss to bordering land subject to flooding. The Conservation Agent confirmed that the work was completed. Scott Conway made a motion, seconded by Nathan Jaffer, to issue a Certificate of Compliance for the High Point Estates restoration work. The motion carried unanimously.

**DEP #164-892/WP #725/SW #15-3 - 100 Milford Road – Request for Minor Change** – Rocco Addeo of 120 Milford Road discussed his request with the Commission. He proposed: the elimination of chain-link fencing around the detention basin, a change in seed mix within the basin in order to be able to mow it, and the removal of the erosion controls along the northern and eastern sides of the project. He received approval from MassDEP for the chain link fencing portion, under his Superseding Order of Conditions. Chairperson Sandra Brock said that the Commission could delegate the decision about removal of the erosion control to the Conservation Agent. She suggested that all of the requested minor changes be submitted to the Commission on revised plans for the Commission's approval once Planning Board has approved them. She stated that he does not need to attend a future meeting for approval since the discussion had taken place this evening. Rocco Addeo said that he also plans to shift the buildings eight feet, which Chairperson Sandra Brock said to include on the revised plans. Scott Conway made a motion, seconded by Nathan Jaffer, to allow a change in seed mix to a native mowable type that is able to withstand inundation and to give the Conservation Agent the authority to approve the proposed seed mix. The motion carried unanimously.

**Notice of Intent #164-922 & Application for Grafton Wetlands Protection Bylaw Permit #755 - 13 Coach House Road (Assessor's Map 16, Lot 313)** – The applicants, David and Lydia Capuano, proposed to remove a retaining wall and grade the yard within the buffer zone to resource areas. Glenn Krevosky of EBT Environmental presented the project to the Commission. On a site walk, the Conservation Agent discovered that vegetation was cut within the previously established 20 foot no-disturb zone. Glenn Krevosky proposed a

boulder line to delineate the 20 foot no-disturb zone, as well as plantings to replace the vegetation. The Conservation Agent suggested no-disturb signage on metal posts as well. The Commission noted an error in the plans which showed proposed trees along the wetland line, which is an area that is already forested, which needs to be corrected on the plans. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to close the public hearing and issue the Order of Conditions for 13 Coach House Road with the following special conditions: a boulder line or fence shall be installed to delineate the 20 foot no-disturb zone, extending 10 feet into the woods, no-disturb signage shall be installed to delineate the 20 foot no-disturb zone, extending to the property lines, appropriate stabilization shall be implemented for the 2:1 slope, and the 20 foot no-disturb boundary shall be staked and surveyed for the Conservation Agent's review. The motion carried unanimously.

**Requests for Determinations of Applicability – Lots 20, 19, 18, 7, 4 Clearview Street – Grafton Hill Subdivision (Assessor's Map 47, Lot 48)** – The applicant, Westerly Side Grafton LLC, proposed the construction of single family homes and associated driveways, utilities, earthwork, and landscaping and requested that the Commission determine whether the areas and/or the proposed work are subject to the Massachusetts Wetlands Protection Act and/or the Grafton Wetlands Protection Bylaw. Vito Colonna of Connorstone Engineering, Inc., Joe Antonelis, and Scott Goddard of Goddard Consulting, LLC presented the project to the Commission. The plans were previously revised according to comments received from the Conservation Agent. Chairperson Sandra Brock requested a copy of the NPDES permit and the Conservation Agent stated that this is one of the special conditions on the filing for the entire subdivision. The Commission stated that additional erosion control may be required if construction proves that it is necessary. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to issue negative determinations for Lots 20, 19, 18, 7, and 4 Clearview Street with the special condition that foundation as-builts be submitted when they are submitted to the Building Department. The motion carried unanimously.

**Notices of Intent #164- & Applications for Grafton Wetlands Protection Bylaw Permits # - Lots 5 & 6 Clearview Street (Assessor's Map 47, Lot 48)** – The applicant, Westerly Side Grafton LLC, proposed the construction of single family homes and associated driveways, utilities, earthwork, and landscaping within the buffer zone to resource areas. Joe Antonelis explained that they are revising their submission to make lots 5 and 6 one large, combined lot containing one house in the currently proposed lot 6 house location. This combination of lots comes closer to meeting the Grafton Wetlands Protection Bylaw requirement for upland square footage. The area currently shown as lot 5 will be open space. The Commission discussed the following special conditions: an 81X plan shall be submitted to combine the lots and note that lot 5 shall remain wooded, lot 5 shall be marked with signage noting that it shall remain wooded, an as-built plan shall be submitted, no-disturb zone signage shall be required, and a no-disturb fence or boulder line shall be installed. There were no comments from the audience. Joe Antonelis requested a continuance of the public hearing, stating that a plan will be submitted with upland calculations and a waiver request. Scott Conway made a motion, seconded by Nathan Jaffer, to continue the public hearing for Lots 5 & 6 Clearview Street to October 4, 2016, at the applicant's request. The motion carried unanimously.

**Notice of Intent #164-919 & Application for Grafton Wetlands Protection Bylaw Permit #752 - 11 Rodnick Street (Assessor's Map 110, Lot 73)** – The applicant, Robert Prout, proposed a septic system installation within resource and riverfront areas. Robert Murphy of R. G. Murphy & Associates, Inc. Environmental Consultants presented the project to the Commission. The project consisted of a failed septic system and cesspool to be abandoned within the inner riparian zone. The alternatives analysis showed that at a 55' distance from the wetlands, the proposed location was as far from the river as was feasible. The project had to be filed with the Natural Heritage and Endangered Species Program (NHESP) for falling within a mapped habitat area. NHESP issued a letter stating that the project would not result in a take of endangered species as proposed. The Conservation Agent stated that she agreed with the delineation and that the project was grandfathered under the riverfront regulations. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to close the public hearing and issue the Order of Conditions for 11

Rodnick Street with the following special conditions: a copy of the as-built plan that is submitted to the Board of Health shall be submitted to the Commission and any excess soil shall be removed off-site, out of any resource areas. The motion carried unanimously.

**Notice of Intent #164-920 & Application for Grafton Wetlands Protection Bylaw Permit #753 - 141**

**George Hill Road (Assessor's Map 94, Lot 17) (Maureen Lemieux)** – The applicant, Maureen Lemieux, proposed a septic system installation within resource areas. Norman Hill of Land Planning, Inc. presented the project to the Commission. The project consisted of a new septic system installation due to a failing cesspool. The installation was proposed within existing lawn area, 66 feet from the wetlands. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to close the public hearing and issue the Order of Conditions for 141 George Hill Road with the following special conditions: a copy of the as-built plan that is submitted to the Board of Health shall be submitted to the Commission and any excess soil shall be removed from the buffer zone. The motion carried unanimously.

**Request for Determination of Applicability – Spectra Energy Algonquin Gas Pipeline** – The applicant, Algonquin Gas Transmission, LLC, proposed geotechnical investigation within resource areas and requested that the Commission determine whether the area and/or proposed work are subject to the Grafton Wetlands Protection Bylaw. Chairperson Sandra Brock stated that her employer has done work with Eversource and National Grid but that she is not familiar with the projects. The applicant approved of her participating in the hearing. The geotechnical investigation work will consist of borings to determine the feasibility and design of future horizontal directional drillings for the pipeline to cross Fisherville and Flint Ponds and railroad tracks. The future pipeline will be 16 inches in diameter. The borings will be 3-4 inches in diameter, at a depth between 40 and 80 feet. The applicant stated that any excess soil is used to fill the boring holes, or is taken off site. The Conservation Agent pointed out that some of the borings occur within the Commission's Hassanamesit Woods conservation property. She asked whether the access roads will require improvements. The applicant stated that they will not. The Commission requested that the applicant take the Conservation Agent on a site walk of all of the locations to show this. The Conservation Agent stated that if the access routes change, the Commission must be notified. The applicant stated that the project is exempt from the MESA filing process. The Commission stated that excess water should be directed away from any wetlands or resource areas. The Commission requested: MSDS sheets, a narrative about the size of the frack tank that will be utilized and where it will be dumped, a copy of any correspondence with NHESP, a statement about the access permissions that have been granted, and a typical boring layout plan for erosion control. The Commission asked that applicant to coordinate with the Conservation Agent so that she can observe one of the borings taking place. The applicant stated that they intend to do this work before winter. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to continue the public hearing for the Spectra Energy Algonquin Gas Pipeline RDA to October 4, 2016, at the applicant's request. The motion carried unanimously.

**DEP #164-915 / WP #748 / SWP #16-1 - Grafton Hill Subdivision** – The Restrictive Covenant, Proposed Deed Restriction, and Proposed Quitclaim Deed which the applicant had submitted previously were reviewed by Town Counsel. The Commission reviewed the drafted special conditions and provided input.

**DEP #164-898 & 164-899 / WP #731 & 732 – 84 & 86 Magill Drive – Requests for Certificates of Compliance** – The erosion control has been removed from the sites. Scott Conway made a motion, seconded by Nathan Jaffer, to issue Certificates of Compliance for 84 and 86 Magill Drive. The motion carried unanimously.

**DEP #164-896 / WP #729 – Tufts Sewer, off Wildlife Drive – Request for Certificate of Compliance** – The Conservation Agent reported that there are still pending items for this project. The Commission took no action.



**Discussion Item: Proposed Subdivision Plans for “The Ridings” at 88 Adams Road** – The applicants were not in attendance to present the plans to the Commission. This item will be rescheduled to the next meeting.

**Discussion Item: Proposed “Right to Farm” Bylaw** – The Commission will review the drafted “Right to Farm” Bylaw and provide feedback.

**August 16, 2016 Meeting Minutes** – Scott Conway made a motion, seconded by Nathan Jaffer, to approve the August 16, 2016 meeting minutes as drafted. The motion carried unanimously.

**Discussion Item: Spending Fee Funds on Assistant’s Salary** – The Commission discussed spending some of the money received from application fees under the Wetlands Protection Act and the local Bylaw on additional hours for the Conservation Assistant. The Commission supports the idea of a full time Assistant but determined that this funding option is not sustainable. The Conservation Agent will look into opportunities with other departments or grant funding.

Scott Conway made a motion, seconded by Nathan Jaffer, to adjourn the meeting at 10:10 p.m. The motion carried unanimously.

**Documents discussed located in the Conservation Commission office:**

Notice of Intent #164-921 & Application for Grafton Wetlands Protection Bylaw Permit #754 - 184 Worcester Street - Hovey Pond Dam  
Notice of Intent #164- , Application for Grafton Wetlands Protection Bylaw Permit # & Application for Grafton Stormwater Management Bylaw Permit # - 109  
Adams Road - Bull Meadow Subdivision  
DEP #164-610 / WP #457 – High Point Estates Restoration – Request for Certificate of Compliance & Certificate of Compliance  
DEP #164-892/WP #725/SW #15-3 - 100 Milford Road – Request for Minor Change  
Notice of Intent #164-922, Application for Grafton Wetlands Protection Bylaw Permit #755, Order of Conditions #164-922, & Grafton Wetlands Protection Bylaw Permit #755 - 13 Coach House Road  
Requests for Determinations of Applicability & Determinations of Applicability – Lots 20, 19, 18, 7, 4 Clearview Street – Grafton Hill Subdivision  
Notices of Intent #164- & Applications for Grafton Wetlands Protection Bylaw Permits # - Lots 5 & 6 Clearview Street  
Notice of Intent #164-919, Application for Grafton Wetlands Protection Bylaw Permit #752, Order of Conditions #164-919, Grafton Wetlands Protection Bylaw Permit #752 - 11 Rodnick Street  
Notice of Intent #164-920, Application for Grafton Wetlands Protection Bylaw Permit #753, Order of Conditions #164-920, Grafton Wetlands Protection Bylaw Permit #753 - 141 George Hill Road  
Request for Determination of Applicability – Spectra Energy Algonquin Gas Pipeline  
DEP #164-915 / WP #748 / SWP #16-1 - Grafton Hill Subdivision – Restrictive Covenant, Proposed Deed Restriction, Proposed Quitclaim Deed, Order of Conditions #164-915, Grafton Wetlands Protection Bylaw Permit #748, Grafton Stormwater Management Bylaw Permit #16-1  
DEP #164-898 & 164-899 / WP #731 & 732 – 84 & 86 Magill Drive – Requests for Certificates of Compliance & Certificates of Compliance  
DEP #164-896 / WP #729 – Tufts Sewer, off Wildlife Drive – Request for Certificate of Compliance  
Drafted “Right to Farm” Bylaw  
August 16, 2016 meeting minutes  
Agent’s Report to the Commissioners dated September 20, 2016

Minutes drafted by Leah Cameron  
Approved on October 4, 2016